

MESSAGE NO: 0140308 MESSAGE DATE: 05/20/2010

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: 75 FR 23667 FR CITE DATE: 04/30/2010

REFERENCE
MESSAGE #
(s):

CASE #(s): A-552-806

EFFECTIVE DATE: 04/30/2010 COURT CASE #:

PERIOD OF REVIEW: 07/01/2008 TO 12/31/2008

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY ORDER IN THE INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE SOCIALIST REPUBLIC OF VIETNAM

1. ON MAY 4, 2010, COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS ANTIDUMPING DUTY ORDER IN THE INVESTIGATION OF POLYETHYLENE RETAIL CARRIER BAGS FROM THE SOCIALIST REPUBLIC OF VIETNAM (75 FR 23667).

2. THE MERCHANDISE COVERED BY THIS ORDER IS POLYETHYLENE RETAIL CARRIER BAGS (PRCBS), WHICH ALSO MAY BE REFERRED TO AS T-SHIRT SACKS, MERCHANDISE BAGS, GROCERY BAGS, OR CHECKOUT BAGS. THE SUBJECT MERCHANDISE IS DEFINED AS NON-SEALABLE SACKS AND BAGS WITH HANDLES (INCLUDING DRAWSTRINGS), WITHOUT ZIPPERS OR INTEGRAL EXTRUDED CLOSURES, WITH OR WITHOUT GUSSETS, WITH OR WITHOUT PRINTING, OF POLYETHYLENE FILM HAVING A THICKNESS NO GREATER THAN 0.035 INCH (0.889 MM) AND NO LESS THAN 0.00035 INCH (0.0089 MM), AND WITH NO LENGTH OR WIDTH SHORTER THAN 6 INCHES (15.24 CM) OR LONGER THAN 40 INCHES (101.6 CM). THE DEPTH OF THE BAG MAY BE SHORTER THAN 6 INCHES BUT NOT LONGER THAN 40 INCHES (101.6 CM).

PRCBS ARE TYPICALLY PROVIDED WITHOUT ANY CONSUMER PACKAGING AND FREE OF CHARGE BY RETAIL ESTABLISHMENTS, E.G., GROCERY, DRUG, CONVENIENCE, DEPARTMENT, SPECIALTY RETAIL, DISCOUNT STORES, AND RESTAURANTS, TO THEIR CUSTOMERS TO PACKAGE AND CARRY THEIR PURCHASED PRODUCTS. THE SCOPE OF THE INVESTIGATION EXCLUDES (1) POLYETHYLENE BAGS THAT ARE NOT PRINTED WITH LOGOS OR STORE NAMES AND THAT ARE CLOSEABLE WITH DRAWSTRINGS MADE OF POLYETHYLENE FILM AND (2) POLYETHYLENE BAGS THAT ARE PACKED IN CONSUMER PACKAGING WITH PRINTING THAT REFERS TO SPECIFIC END-USES OTHER THAN PACKAGING AND CARRYING MERCHANDISE FROM RETAIL ESTABLISHMENTS, E.G., GARBAGE BAGS, LAWN BAGS, TRASH-CAN LINERS.

IMPORTS OF MERCHANDISE INCLUDED WITHIN THE SCOPE OF THE INVESTIGATION ARE CURRENTLY CLASSIFIABLE UNDER STATISTICAL CATEGORY 3923.21.0085 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). THIS SUBHEADING

MAY ALSO COVER PRODUCTS THAT ARE OUTSIDE THE SCOPE OF THIS INVESTIGATION. FURTHERMORE, ALTHOUGH THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE SCOPE OF THE INVESTIGATION IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER (A-552-806).

4. THE INTERNATIONAL TRADE COMMISSION (ITC) NOTIFIED COMMERCE THAT IMPORTS OF PRCBS FROM THE PEOPLE'S REPUBLIC OF CHINA, THREATEN MATERIAL INJURY TO THE U.S. INDUSTRY. THE ITC DETERMINED THAT IT WOULD NOT HAVE FOUND MATERIAL INJURY BUT FOR THE SUSPENSION OF LIQUIDATION. THEREFORE, COMMERCE WILL ISSUE SEPARATE INSTRUCTIONS TO U.S. CUSTOMS AND BORDER PROTECTION (CBP) TO TERMINATE SUSPENSION AND REFUND ANY CASH DEPOSIT AND RELEASE ANY BOND OR OTHER SECURITY OF PRCBS FROM THE PEOPLE'S REPUBLIC OF CHINA, FOR SHIPMENTS, ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION PRIOR TO 4/30/2010, THE DATE OF PUBLICATION OF THE ITC'S FINAL DETERMINATION IN THE FEDERAL REGISTER. CBP SHALL SUSPEND LIQUIDATION FOR PRCBS FROM THE PEOPLE'S REPUBLIC OF CHINA WITH RESPECT TO SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 4/30/2010, THE DATE OF PUBLICATION OF THE ITC'S FINAL DETERMINATION IN THE FEDERAL REGISTER (75 FR 22842). EFFECTIVE 04/30/2010, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT EQUAL TO THE MARGINS SHOWN BELOW:

EXPORTER: ALPHA PLASTICS (VIETNAM) CO., LTD.

PRODUCER: ALPHA PLASTICS (VIETNAM) CO., LTD.

CASE NUMBER: A-552-806-001

CASH DEPOSIT RATE: 52.30

EXPORTER: ALTA COMPANY

PRODUCER: ALTA COMPANY

CASE NUMBER: A-552-806-002

CASH DEPOSIT RATE: 52.30

EXPORTER: AMPAC PACKAGING VIETNAM LTD.

PRODUCER: AMPAC PACKAGING VIETNAM LTD.

CASE NUMBER: A-552-806-003

CASH DEPOSIT RATE: 52.30

EXPORTER: BITAHACO
PRODUCER: BITAHACO
CASE NUMBER: A-552-806-004
CASH DEPOSIT RATE: 52.30

EXPORTER: CHEN SHENG CO., LTD.
PRODUCER: CHEN SHENG CO., LTD.
CASE NUMBER: A-552-806-005
CASH DEPOSIT RATE: 52.30

EXPORTER: CHUNG VA CENTURY MACAO COMMERCIAL OFFSHORE LIMITED
PRODUCER: CHUNG VA (VIETNAM) PLASTIC PACKAGING CO., LTD.
CASE NUMBER: A-552-806-006
CASH DEPOSIT RATE: 52.30

EXPORTER: HANOI 27-7 PACKAGING COMPANY LIMITED, AKA HANOI 27-7 PACKING
COMPANY LIMITED, AKA HAPACK CO. LTD, AKA HAPACK
PRODUCER: HANOI 27-7 PACKAGING COMPANY LIMITED, AKA HANOI 27-7 PACKING
COMPANY LIMITED, AKA HAPACK CO. LTD, AKA HAPACK
CASE NUMBER: A-552-806-007
CASH DEPOSIT RATE: 52.30

EXPORTER: KONG WAI POLYBAG PRINTING COMPANY
PRODUCER: HOI HUNG COMPANY LIMITED
CASE NUMBER: A-552-806-008
CASH DEPOSIT RATE: 52.30

EXPORTER: KINSPLASTIC VIETNAM LTD. CO.
PRODUCER: KINSPLASTIC VIETNAM LTD. CO.
CASE NUMBER: A-552-806-009
CASH DEPOSIT RATE: 52.30

EXPORTER: LOC CUONG TRADING PRODUCING COMPANY
PRODUCER: LOC CUONG TRADING PRODUCING COMPANY
CASE NUMBER: A-552-806-010
CASH DEPOSIT RATE: 52.30

EXPORTER: ONTRUE PLASTICS CO., LTD. (VIETNAM)
PRODUCER: ONTRUE PLASTICS CO., LTD. (VIETNAM)
CASE NUMBER: A-552-806-011
CASH DEPOSIT RATE: 52.30

EXPORTER: RICHWAY PLASTICS VIETNAM CO., LTD.
PRODUCER: RICHWAY PLASTICS VIETNAM CO., LTD.
CASE NUMBER: A-552-806-012
CASH DEPOSIT RATE: 52.30

EXPORTER: RKW LOTUS LIMITED
PRODUCER: RKW LOTUS LIMITED
CASE NUMBER: A-552-806-013
CASH DEPOSIT RATE: 52.30

EXPORTER: VINAPACKINK CO., LTD.
PRODUCER: VINAPACKINK CO., LTD.
CASE NUMBER: A-552-806-014
CASH DEPOSIT RATE: 52.30

EXPORTER: K'S INTERNATIONAL POLYBAGS MFG., LTD.
PRODUCER: VN K'S INTERNATIONAL POLYBAGS JOINT STOCK COMPANY
CASE NUMBER: A-552-806-015
CASH DEPOSIT RATE: 52.30

EXPORTER: VN PLASTIC INDUSTRIES CO. LTD.
PRODUCER: VN PLASTIC INDUSTRIES CO. LTD.
CASE NUMBER: A-552-806-016
CASH DEPOSIT RATE: 52.30

EXPORTER: VIETNAM-WIDE ENTITY
PRODUCER: VIETNAM-WIDE ENTITY
CASE NUMBER: A-552-806-000
CASH DEPOSIT RATE: 76.11

FOR SHIPMENTS OF SUBJECT MERCHANDISE FROM THE PRODUCERS AND EXPORTERS
IDENTIFIED ABOVE IN ANY OTHER COMBINATION, CASH DEPOSITS ONLY SHOULD BE
COLLECTED AT THE VIETNAM-WIDE RATE IN EFFECT ON THE DATE OF ENTRY. THE

VIETNAM-WIDE RATE CURRENTLY IN EFFECT IS 76.11 PERCENT.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O4:SMH).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party

| Case # | Rate | Party Indicator* | Party ID | Party Name |
|---------------|--------|------------------|----------|---|
| A-552-806-001 | 52.30% | E | | ALPHA PLASTICS (VIETNAM) CO., LTD. |
| A-552-806-001 | | M | | ALPHA PLASTICS (VIETNAM) CO., LTD. |
| A-552-806-002 | 52.30% | E | | ALTA COMPANY |
| A-552-806-002 | | M | | ALTA COMPANY |
| A-552-806-003 | 52.30% | E | | AMPAC PACKAGING VIETNAM LTD. |
| A-552-806-003 | | M | | AMPAC PACKAGING VIETNAM LTD. |
| A-552-806-004 | 52.30% | E | | BITAHACO |
| A-552-806-004 | | M | | BITAHACO |
| A-552-806-005 | 52.30% | E | | CHEN SHENG CO., LTD. |
| A-552-806-005 | | M | | CHEN SHENG CO., LTD. |
| A-552-806-006 | 52.30% | E | | CHUNG VA CENTURY MACAO COMMERCIAL OFFSHORE LIMITED |
| A-552-806-006 | | M | | CHUNG VA (VIETNAM) PLASTIC PACKAGING CO., LTD. |
| A-552-806-007 | 52.30% | E | | HANOI 27-7 PACKAGING COMPANY LIMITED (SEE PARA. 4 MESSAGE BODY) |
| A-552-806-007 | | M | | HANOI 27-7 PACKAGING COMPANY LIMITED (SEE PARA. 4 MESSAGE BODY) |

| Case # | Rate | Party Indicator* | Party ID | Party Name |
|---------------|--------|------------------|----------|--|
| A-552-806-008 | 52.30% | E | | KONG WAI POLYBAG PRINTING COMPANY |
| A-552-806-008 | | M | | HOI HUNG COMPANY LIMITED |
| A-552-806-009 | 52.30% | E | | KINSPLASTIC VIETNAM LTD. CO. |
| A-552-806-009 | | M | | KINSPLASTIC VIETNAM LTD. CO. |
| A-552-806-010 | 52.30% | E | | LOC CUONG TRADING PRODUCING COMPANY |
| A-552-806-010 | | M | | LOC CUONG TRADING PRODUCING COMPANY |
| A-552-806-011 | 52.30% | E | | ONTRUE PLASTICS CO., LTD. (VIETNAM) |
| A-552-806-011 | | M | | ONTRUE PLASTICS CO., LTD. (VIETNAM) |
| A-552-806-012 | 52.30% | E | | RICHWAY PLASTICS VIETNAM CO., LTD. |
| A-552-806-012 | | M | | RICHWAY PLASTICS VIETNAM CO., LTD. |
| A-552-806-013 | 52.30% | E | | RKW LOTUS LIMITED |
| A-552-806-013 | | M | | RKW LOTUS LIMITED |
| A-552-806-014 | 52.30% | E | | VINAPACKINK CO., LTD. |
| A-552-806-014 | | M | | VINAPACKINK CO., LTD. |
| A-552-806-015 | 52.30% | E | | KS INTERNATIONAL POLYBAGS MFG., LTD. |
| A-552-806-015 | | M | | VN KS INTERNATIONAL POLYBAGS JOINT STOCK COMPANY |

| Case # | Rate | Party Indicator* | Party ID | Party Name |
|---------------|--------|------------------|----------|--------------------------------|
| A-552-806-016 | 52.30% | E | | VN PLASTIC INDUSTRIES CO. LTD. |
| A-552-806-016 | | M | | VN PLASTIC INDUSTRIES CO. LTD. |